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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,330	09/19/2003	Arthur G. Olszak	P 6121.62022	8372
30615	7590	01/04/2005	EXAMINER	
BIRDWELL, JANKE & DURANDO, PLC 1100 SW SIXTH AVENUE SUITE 1400 PORTLAND, OR 97204			FULLER, RODNEY EVAN	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/666,330	Applicant(s) OLSZAK ET AL.	
	Examiner Rodney E Fuller	Art Unit 2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

RODNEY FULLER
PRIMARY EXAMINER

R. E. Fuller

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/12/04 & 11/15/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following items:
 - a. On page 10, lines 30-31, the specification states: "The SLM 228 is illumination by light sources 240 through a condenser lens system 250." In Figure 11, the light source appears to be associated with ref.# 250, and the condenser lens appears to be associated with ref.# 240.
 - b. On page 11, line 30, the specification states: "...produce partial coherence from light emitting elements 240." In Figure 11, ref.# 240 appears to be the condenser lens system.Appropriate correction is required.
2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Mei, et al. (US 6,509,955).

Regarding claims 1 and 13, Mei discloses “a plurality of objectives (Fig. 10, ref.# 60; Fig. 16, ref.# 40a, 132, 40b; column 7, lines 63-64) defining respective object fields of view (Fig. 15, area shown at ref.# 38) and corresponding image fields of view (Fig. 15, ref.# 56); and an object (Fig. 10, ref.# 110; column 6, lines 8-11) for controllably illuminating said object fields of view with light that varies spatially in one or more selected characteristics (column 6, lines 9-13), for creating respective images within said image fields of view (column 6, lines 13-16).”

Regarding claims 2 and 14, Mei discloses “wherein said object produces as an object a predetermined radiance pattern (column 6, lines 11-13) to be imaged onto an image surface within said image fields of view.”

Regarding claims 3 and 15, Mei discloses “wherein said object is adapted to be controlled by electrical signals.” (column 6, line 10)

Regarding claims 4 and 16, Mei discloses “wherein said object includes computer-controlled light emitting pixels (Fig. 1, ref.# 36, 38; column 3, lines 54-55; column 5, lines 3-4), each set of pixels corresponding to a different image field of view.”

Regarding claims 5 and 17, Mei discloses “wherein said object includes computer-controlled light modulating pixels (Fig. 1, ref.# 36, 38; column 3, lines 54-55; column 5, lines 3-4), each set of pixels corresponding to a different image field of view.”

Regarding claims 6 and 18, Mei discloses “wherein said one or more selected characteristics includes the radiance of said light.” (column 6, lines 11-13)

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Regarding claims 7 and 19, Mei discloses “wherein said objectives are double-telecentric.” (column 1, line 35)

Regarding claims 8 and 20, Mei discloses “a set of apertures (Fig. 16, ref.# 134; column 7, lines 55-58) optically disposed with respect to said objectives to produce partial coherence in the light associated therewith.”

Regarding claims 9 and 21, Mei discloses “wherein said object is adapted to produce light as an object that varies spatially (column 4, lines 22-27) in said one or more characteristics within different object fields of view (Fig. 3, ref.# 38a, 38b, 38c).”

Regarding claims 10 and 22, Mei discloses “wherein the optical axes of said objectives are parallel.” (Fig. 16, see dotted lines showing axes of each optical unit)

Regarding claims 11, 23 and 27, Mei discloses “wherein said image fields of view are smaller than the corresponding object fields of view, for demagnifying said object.” (column 5, lines 39-52)

Regarding claims 12, 29-33, Mei discloses “a scanning mechanism (Fig. 5, ref.# 44) for translating a device with respect to said objectives (Fig. 5, ref.# 60) so as to vary the position thereof, a position sensor for sensing said position, and a stroboscopic triggering mechanism for stroboscopically triggering said light in relation to said position.” (column 4, lines 61-65; column 5, lines 24-27)

Regarding claim 24, Mei discloses “further comprising optically disposing photosensitive material at said image fields of view, to expose said photosensitive material according to said object fields of view.” (Fig. 5, ref.# 46; column 3, lines 38-39)

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Regarding claim 25, Mei discloses “further comprising applying said photosensitive material to a device, for defining features on said device with said images. (Fig. 5, ref.# 46, column 3, lines 38-39)

Regarding claim 26, Mei discloses “wherein said photosensitive material is photoresist.” (Fig. 5, ref.# 46, column 3, lines 38-39)

Regarding claim 28, Mei discloses “wherein said device is a semiconductor wafer.” (column 4, line 60)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Klosner (US 6,238,852), Mei (US 2002/0097495) and Yanagihara, et al. (US 5,625,436) each disclose “a plurality of objectives defining respective object fields of view and corresponding image fields of view; and an object for controllably illuminating said object fields of view with light that varies spatially in one or more selected characteristics, for creating respective images within said image fields of view.”

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney E Fuller whose telephone number is 571-272-2118. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney E Fuller
Primary Examiner
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A handwritten signature in black ink, appearing to read 'R. E. Fuller', is written over the typed name and title.

December 29, 2004